

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JAMES J. SANDLER, Individually and as Trustee
of the TOWN PAINT & SUPPLY CO., INC.
401(k) PROFIT SHARING PLAN, and
TOWN PAINT & SUPPLY CO., INC.,

Plaintiffs

v.

CIPC SYSTEMS, INC. and
RICHARD A. PERRY,

Defendants

CIVIL ACTION No. 05-40073-FDS

CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)

The undersigned counsel and party hereby affirm that counsel and client have conferred (a) with a view to establish a budget for the costs of conducting the full course – and various alternative courses – of this litigation, and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4.

CIPC SYSTEMS, INC. and
RICHARD A. PERRY,

S/Richard A. Perry
Richard A. Perry

CIPC SYSTEMS, INC. and
RICHARD A. PERRY,

By their attorneys,

S/Michele Carlucci
George C. Rockas BBO# 544009
Michele Carlucci BBO#655211
WILSON ELSER MOSKOWITZ
EDELMAN & DICKER, LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300

Dated: September 5, 2006

CERTIFICATE OF SERVICE

I, Michele Carlucci, certify that on September 5, 2006, I filed the *Certification Pursuant to Local Rule 16.1(D)(3)* by electronic filing and mailed a courtesy copy of the same to:

Richard J. Yurko, Esq.
YURKO & SALVESEN, P.C.
One Washington Mall, 11th Floor
Boston, MA 02108-2603

/s/ Michele Carlucci
Michele Carlucci